UNITED STATES DISTRICT COURT FOR THE DISTRICT OF MASSACHUSETTS

IN RE: PHARMACEUTICAL INDUSTRY)
AVERAGE WHOLESALE PRICE) MDL NO. 1456
LITIGATION)
) Civil Action: 01-CV-12257-PBS
)
THIS DOCUMENT RELATES TO:) Judge Patti B. Saris
ALL ACTIONS)
) Chief Mag. Judge Marianne B. Bowler
)

PLAINTIFFS' ASSENTED-TO MOTION FOR LEAVE TO REPLY TO DEY, INC.'S AND ABBOTT LABORATORIES' OBJECTIONS TO THE ORDER OF CHIEF MAGISTRATE JUDGE BOWLER ISSUED ON FEBRUARY 4, 2006 TO FILE SUCH REPLY UNTIL MARCH 8, 2006

Plaintiffs hereby move, with the assent of Defendants Dey, Inc. ("Dey") and Abbott Laboratories ("Abbott"), for leave to reply to Dey and Abbott's Objections to the Order Issued by Magistrate Judge Bowler until March 8, 2006.

This motion shall also apply to responses to be filed, if any, by Massachusetts third-party payors Fallon Community Health Plan, Inc. ("Fallon"), Tufts Associated Health Plans, Inc. ("Tufts") and Neighborhood Health Plan, Inc. ("NHP").

Respectfully submitted,

By /s/ David S. Nalven_

Thomas M. Sobol
David S. Nalven
Edward Notargiacomo
Hagens Berman Sobol Shapiro LLP
One Main Street
Cambridge, MA 02142
Telephone: (617) 482-3700

Facsimile: (617) 482-3003

Steve W. Berman Sean R. Matt Hagens Berman Sobol Shapiro LLP 1301 Fifth Avenue, Suite 2900 Seattle, WA 98101

Telephone: (206) 623-7292 Facsimile: (206) 623-0594

LIAISON AND CO-LEAD COUNSEL

Jeffrey Kodroff John Macoretta Spector, Roseman & Kodroff, P.C. 1818 Market Street, Suite 2500 Philadelphia, PA 19103 Telephone: (215) 496-0300 Facsimile: (215) 496-6611

Marc H. Edelson Hoffman & Edelson 45 West Court Street Doylestown, PA 18901 Telephone: (215) 230-8043 Facsimile: (215) 230-8735

Kenneth A. Wexler Kenneth A. Wexler & Associates One North LaSalle Street, Suite 2000 Chicago, IL 60602 Telephone: (312) 346-2222

Facsimile: (312) 346-0022

CO-LEAD COUNSEL

ASSENTED-TO BY:

/s/ Toni-Ann Citera_

James R. Daly Tara A. Fumerton Jones Day 77 West Wacker Chicago, IL 60601-1692 Telephone: (312) 782-3939

Facsimile: (312) 782-8585

Toni-Ann Citera
Jones Day
222 East 41st Street

New York, New York 10017 Telephone: (212) 326-3939 Facsimile: (212) 755-7306

ON BEHALF OF ABBOTT LABORATORIES

/s/ Christopher C. Palermo

Paul F. Doyle Christopher C. Palermo (pro hac vice) Philip D. Robben (pro hac vice) Kelley Drye & Warren LLP 101 Park Avenue New York, New York 10178

Telephone: (212) 808-7786 Facsimile: (212) 808-7897

ON BEHALF OF DEY, INC.

Dated: February 22, 2006

CERTIFICATE OF SERVICE

Docket No. MDL 1456

I, David S. Nalven, hereby certify that I am one of plaintiffs' attorneys and that, on February 22, 2006, I caused copies of *Plaintiffs' Assented-To Motion for Leave to Reply to Dey, Inc.'s and Abbott Laboratories' Objections to the Order of Chief Magistrate Judge Bowler Issued on February 4, 2006 to File Such Reply Until March 8, 2006* to be served via Lexis/Nexis File & Serve on all counsel of record.

/s/	David	S.	Nalven

Dated: February 22, 2006